

Appl. No. 09/782,732

### REMARKS

Claims 52-61 and 66-104 were allowed in the Notice of Allowability mailed February 18, 2004. Claims 105-107 are added. Support for the new claims may be found, for example, at page 11, lines 28-31, and throughout the specification, drawings, and claims as filed. Therefore, no new matter is entered by this Amendment.

#### *Comments on Statement of Reasons for Allowance*

In the "Reasons for Allowance" section of the Notice of Allowability, the Examiner stated that "the prior art of record fails to teach or suggest a thermal cycler comprising a processing unit having an opening to receive a sample vessel contai[n]ing a sample, the processing unit having a first processing station and a second processing station, where each station includes a compression member and a *thermal* energy transfer element; nor a thermal cycling method using the device" (emphasis added).

Applicant respectfully points out that none of the allowed claims is limited to including a *thermal* energy transfer element. Rather, claims 52 and 57 recite thermal cyclers whose processing stations include an energy transfer element. Applicant considers the claims to be allowable because the art of record does not teach or suggest thermal cyclers comprising a processing unit having an opening to receive a sample vessel containing a sample, the processing unit having a first processing station and a second processing station, where each station includes a compression member and an energy transfer element; nor thermal cycling methods using the recited thermal cyclers.

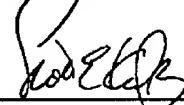
To underscore this distinction, Applicant proposes new dependent claims 105-107, each of which recites a "thermal energy transfer element."

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**CONCLUSION**

The Examiner is invited to contact the undersigned at 617-832-1176 or at the telephone number listed below should any questions arise.

Respectfully submitted,  
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